

City of Glendale Council Meeting Agenda April 10, 2012 – 7:00 p.m.

City Council meetings are telecast live at 7:00 p.m. on the second and fourth Tuesday of the month. Repeat broadcasts are telecast the second and fourth week of the month – Wednesday at 2:30 p.m., Thursday at 8:00 a.m., Friday at 8:00 a.m., Saturday at 2:00 p.m., Sunday at 9:00 a.m. and Monday at 1:30 p.m. on Glendale Channel 11.

Welcome!

We are glad you have chosen to attend this City Council meeting. We welcome your interest and encourage you to attend again.

Form of Government

The City of Glendale has a Council-Manager form of government. Legislative policy is set by the elected Council and administered by the Council-appointed City Manager.

The City Council consists of a Mayor and six Councilmembers. The Mayor is elected every four years by voters city-wide. Councilmembers hold four-year terms with three seats decided every two years. Each of the six Councilmembers represent one of six electoral districts and are elected by the voters of their respective districts (see map on back).

Council Meeting Schedule

The Mayor and City Council hold Council meetings to take official action two times each month. These meetings are held on the second and fourth Tuesday of the month at 7:00 p.m. Regular meetings are held in the Council Chambers, Glendale Municipal Office Complex, 5850 W. Glendale Avenue.

Agendas may be obtained after 4:00 p.m. on the Friday before a Council meeting, at the City Clerk's Office in the Municipal Complex. The agenda and supporting documents are posted to the city's Internet web site, www.glendaleaz.com

Questions or Comments

If you have any questions about the agenda, please call the City Manager's Office at (623) 930-2870. If you have a concern you would like to discuss with your District Councilmember, please call (623) 930-2249, Monday - Friday, 8:00 a.m. – 5:00 p.m.

Public Rules of Conduct

The presiding officer shall keep control of the meeting and require the speakers and audience to refrain from abusive or profane remarks, disruptive outbursts, applause, protests, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting. Personal attacks on Councilmembers, city staff, or members of the public are not allowed. It is inappropriate to utilize the public hearing or other agenda item for purposes of making political speeches, including threats of political action. Engaging in such conduct, and failing to cease such conduct upon request of the presiding officer will be grounds for ending a speaker's time at the podium or for removal of any disruptive person from the meeting room, at the direction of the presiding officer.

How to Participate

The Glendale City Council values citizen comments and input. If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a blue Citizen Comments Card located at the back of the Council Chambers and give it to the City Clerk before the meeting starts. The Mayor will call your name when the Citizen Comments portion of the agenda is reached. Because these matters are not listed on the posted agenda, the City Council may not act on the information during the meeting but may refer the matter to the City Manager for follow-up.

Public Hearings are also held on certain agenda items such as zoning cases, liquor license applications and use permits. If you wish to speak or provide written comments about a public hearing item on tonight's agenda, please fill out a gold Public Hearing Speakers Card located at the back of the Council Chambers and give it to the City Clerk before the meeting starts. The Mayor will call your name when the public hearing on the item has been opened.

When speaking at the Podium, please state your name and the city in which you reside. If you reside in the City of Glendale, please state the Council District you live in and present your comments in five minutes or less.



**** For special accommodations or interpreter assistance, please contact the City Manager's Office at (623) 930- 2870 at least one business day prior to this meeting. TDD (623) 930-2197.**

**** Para acomodacion especial o traductor de español, por favor llame a la oficina del adminsitrador del ayuntamiento de Glendale, al (623) 930-2870 un día hábil antes de la fecha de la junta.**

Councilmembers

Norma S. Alvarez - Ocotillo District
H. Philip Lieberman - Cactus District
Manuel D. Martinez - Cholla District
Joyce V. Clark - Yucca District
Yvonne J. Knaack – Barrel District



MAYOR ELAINE M. SCRUGGS

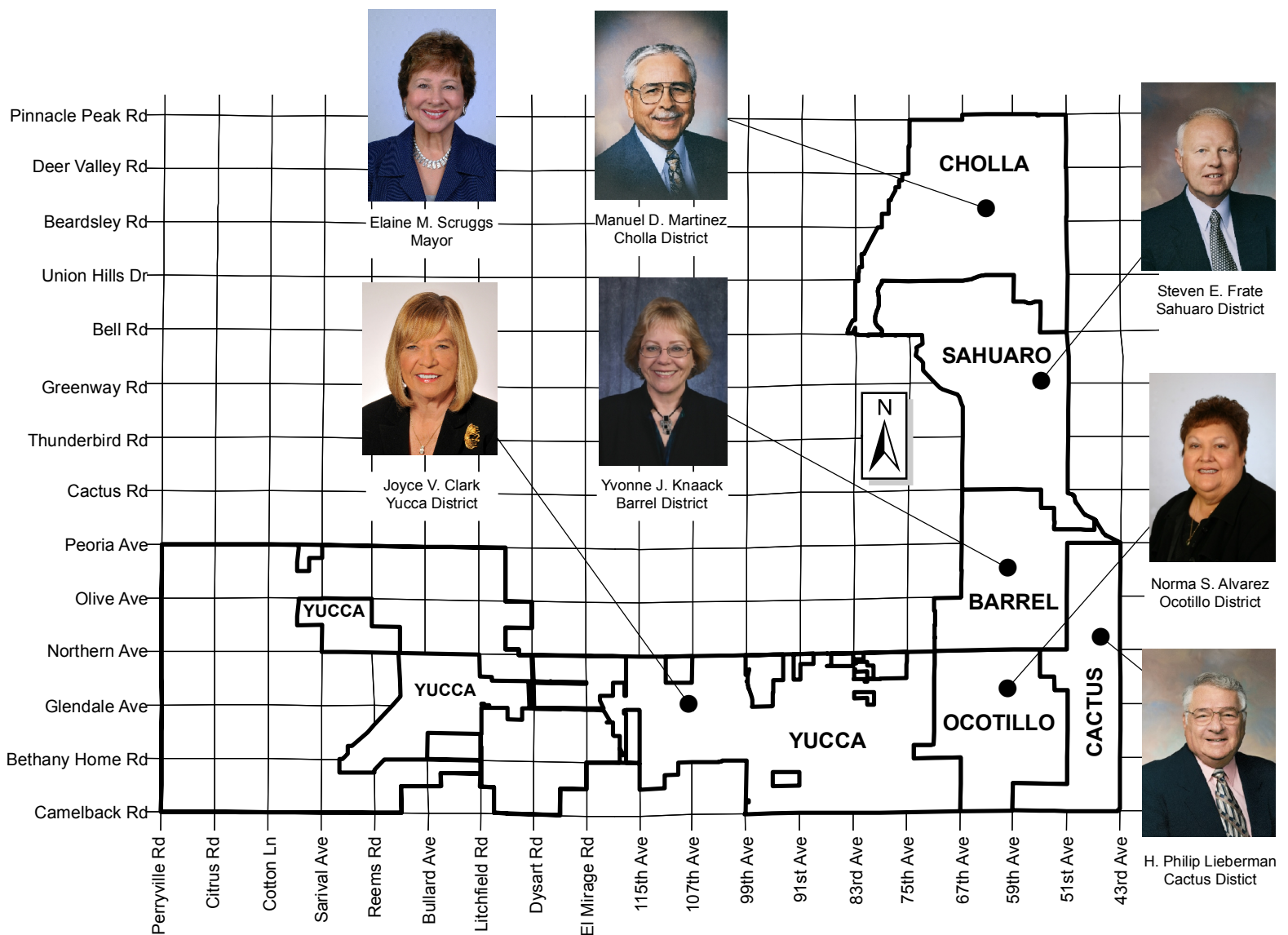
Vice Mayor Steven E. Frate - Sahuaro District

Appointed City Staff

Ed Beasley – City Manager
Craig Tindall – City Attorney
Pamela Hanna – City Clerk
Elizabeth Finn – City Judge



Council District Boundaries





GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
April 10, 2012
7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

APPROVAL OF THE MINUTES OF [March 27, 2012](#)

CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.

1. [LIQUOR LICENSE NO. 5-5459, AYY CHIHUAHUA CANTINA](#)

PRESENTED BY: Susan Matousek, Revenue Administrator

2. [RENTAL AGREEMENTS WITH EMPIRE SOUTHWEST, LLC](#)

PRESENTED BY: Debora Black, Interim Police Chief

CONSENT RESOLUTIONS

3. [MARICOPA COUNTY ATTORNEY'S MEMORANDUM OF UNDERSTANDING](#)

PRESENTED BY: Debora Black, Interim Police Chief

RESOLUTION: 4556

4. [ADDENDUM TO AGREEMENT WITH SALT RIVER PROJECT FOR UTILITY RELOCATION AND ENHANCEMENTS AT GRAND AND MISSOURI AVENUES](#)

PRESENTED BY: Jamsheed Mehta, AICP, Executive Director, Transportation Services

RESOLUTION: 4557

5. [INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA STATE FORESTRY DIVISION](#)

PRESENTED BY: Mark Burdick, Fire Chief

RESOLUTION: 4558

BIDS AND CONTRACTS

6. AGREEMENT WITH HABITAT FOR HUMANITY CENTRAL ARIZONA

PRESENTED BY: Jim Colson, Deputy City Manager

RESOLUTIONS

7. INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR POLICE DEPARTMENT RECORD COMPUTER SYSTEM

PRESENTED BY: Debora Black, Interim Police Chief

RESOLUTION: 4559

8. INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR RECIPROCAL SOLID WASTE DISPOSAL SERVICES

PRESENTED BY: Frank Lomeli, Deputy Director, Public Works

RESOLUTION: 4560

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

CITIZEN COMMENTS

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COUNCIL COMMENTS AND SUGGESTIONS

ADJOURNMENT

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));**
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03 (A)(2));**
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));**
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(4));**
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or**
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).**

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

APPROVAL OF THE [MINUTES OF March 27, 2012](#)

CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.

1. [LIQUOR LICENSE NO. 5-5459, AYY CHIHUAHUA CANTINA](#)

Purpose: This is a request for City Council to approve a person-to-person transferable series 7 (Bar - Beer and Wine) license for Ayy Chihuahua Cantina located at 5008 West Northern Avenue. The Arizona Department of Liquor Licenses and Control application (No. 07070639) was submitted by Agustin Moreno Loza.

Background: The location of the establishment is 5008 West Northern Avenue in the Cactus District. The property is zoned C-2 (General Commercial). The population density within a one-mile radius is 22,007. Ayy Chihuahua Cantina is currently operating with an interim permit, therefore, the approval of this license will not increase the number of liquor licenses in the area. The current number of liquor licenses within a one-mile radius is as listed below.

Series	Type	Quantity
06	Bar - All Liquor	2
07	Bar - Beer and Wine	3
09	Liquor Store - All Liquor	3
10	Liquor Store - Beer and Wine	4
12	Restaurant	1
14	Private Club	1
	Total	14

The City of Glendale Planning, Police, and Fire Departments have reviewed the application and determined that it meets all technical requirements.

Public Input: No public protests were received during the 20-day posting period.

Recommendation: Based on information provided under the background, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

2. [RENTAL AGREEMENTS WITH EMPIRE SOUTHWEST, LLC](#)

Purpose: This is a request for City Council to authorize an additional \$200,000 to the agreements with Empire Southwest, LLC for the rental of heavy equipment, fuel, maintenance, and repair costs.

Background: These rental agreements with Empire Southwest, LLC will allow the Police Department to continue their search for the remains of a victim in a homicide investigation. The Police Department is asking for an increase because they will exceed the amount initially approved by City Council. The Police Department anticipates receiving financial assistance from the Maricopa County Attorney's Office and the Federal Bureau of Investigation.

Previous Council/Staff Actions: On February 14, 2012, Council approved the entering into of three rental agreements with Empire Southwest, LLC for the rental of heavy equipment in an amount not to exceed \$90,000.

Budget Impacts & Costs: Funding is available in the FY 2011-12 RICO funds for the rental of heavy equipment. The final cost is dependent on the length of use, which is unknown at this time.

Recommendation: Authorize an additional \$200,000 to the agreements with Empire Southwest, LLC for the rental of heavy equipment, fuel, maintenance, and repair costs.

CONSENT RESOLUTIONS

3. [MARICOPA COUNTY ATTORNEY'S MEMORANDUM OF UNDERSTANDING](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to enter into a memorandum of understanding with the Maricopa County Attorney's Office (MCAO) concerning asset forfeiture services for the Glendale Police Department.

Background: Asset forfeiture, also known as Racketeering Influenced Corrupt Organizations (RICO), allows the government to legally use the proceeds from criminal enterprises forfeited by individuals or organizations and utilize them in approved law enforcement operations. The funds are not forfeited unless authorized through the courts after due process, which MCAO assists with. The city has been participating in this program for at least two decades.

Previous Council/Staff Actions: On October 28, 2008, Council approved a memorandum of understanding with MCAO for asset forfeiture services.

Community Benefit: Participation in equitable asset sharing enables the Glendale Police Department to continue to target large-scale operations to suppress drug importation and sales in the city. It promotes close cooperation between federal agencies and the Glendale Police Department, while penalizing drug traffickers by seizing their illicit assets and charging them criminally.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into a memorandum of understanding with the Maricopa County Attorney's Office concerning asset forfeiture services for the Glendale Police Department.

4. [ADDENDUM TO AGREEMENT WITH SALT RIVER PROJECT FOR UTILITY RELOCATION AND ENHANCEMENTS AT GRAND AND MISSOURI AVENUES](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an addendum to an agreement with Salt River Project (SRP) for the relocation and undergrounding of electric utilities as part of the Grand Avenue infrastructure improvement project.

Background: The Arizona Department of Transportation (ADOT) and the City of Glendale are participating in a joint project to improve traffic flows and enhance the appearance of Grand Avenue. The project includes improvements to electric utilities in SRP's service area. The original agreement with SRP consists of design, relocation and undergrounding of electric utilities along Grand Avenue.

This addendum provides SRP an additional \$15,060 to obtain a railroad permit from the Burlington Northern and Santa Fe (BNSF) Railway in order to perform the required work on BNSF-owned property at Grand and Missouri Avenues.

An existing intergovernmental agreement with ADOT will cover the full cost of electric utility work on the Grand Avenue project.

Previous Council/Staff Actions: On January 24, 2012, Council approved an agreement with SRP for infrastructure improvements at Grand and Missouri Avenues for \$38,111.86 and approved an agreement with ADOT for infrastructure improvements along Grand Avenue.

Community Benefit: The proposed enhancements will improve traffic flow, provide more efficient access to adjacent properties, and enhance the lighting and aesthetics of Grand Avenue. Improvements include landscaping, sign upgrades, sidewalks and the undergrounding of utilities.

Public Input: On June 26, 2008, ADOT held an open house in Glendale for public comments on the Design Concept Report and Environmental Study for Grand Avenue improvements. No comments were received from the public.

Proposed improvements on Grand Avenue have been presented at each of the annual GO Program public meetings since 2003.

Budget Impacts & Costs: Funding is provided by ADOT through a Maricopa Association of Governments regional area road fund grant and is available in the FY 2011-12 capital improvement program. There are no operating costs associated with this portion of the project.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X	X		X		\$15,060

Account Name, Fund, Account and Line Item Number:

Grand Avenue Infrastructure Improvements, Account No. 1650-67542-518200, \$15,060

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an addendum to an agreement with Salt River Project for relocation and undergrounding of electric utilities as part of the Grand Avenue infrastructure improvement project, in an amount not to exceed \$15,060.

5. [INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA STATE FORESTRY DIVISION](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement titled Cooperative Fire Rate Agreement, with the Arizona State Forestry Division for the prevention and suppression of wildland fires.

Background: The Arizona State Forestry Division has developed a comprehensive incident management system which oversees and manages forest and wildland fires. Fire departments that are called to assist with forest and wildland fires have firefighters who have attended training and have been approved by the state as wildland firefighters. Glendale firefighters who are approved as wildland firefighters bring back valuable firsthand experience on how to manage large scale events to include becoming familiar with the national response system, ordering system, and the exposure of working directly with national teams. By choosing to enter into this agreement, the Glendale Fire Department will be able to provide emergency fire suppression assistance during large scale events on Arizona state lands. Costs incurred by the department while assisting in these events are reimbursable through the Arizona State Forester's Office.

Previous Council/Staff Actions: On May 11, 2010, Council authorized the Cooperative Fire Rate Agreement with the Arizona State Forestry Division to provide fire protection to state forests and wildlands.

Council has entered into cooperative fire rate agreements with the Arizona State Forestry Division since 2002.

Community Benefit: By choosing to enter into this agreement, the Glendale Fire Department will be able to provide emergency fire suppression assistance if needed during large scale events on state lands. In return, the city will have access, at no charge, to state-owned fire equipment if needed during periods of extreme brush fire danger in large parks and open areas in Glendale.

Recommendation: Waive reading beyond the title and adopt the resolution authorizing the City Manager to enter into an intergovernmental agreement titled Cooperative Fire Rate Agreement with the Arizona State Forestry Division for fire protection to state forests and wildlands.

BIDS AND CONTRACTS

6. [AGREEMENT WITH HABITAT FOR HUMANITY CENTRAL ARIZONA](#)

Purpose: This is a request for City Council to authorize the City Manager to enter into an Agreement for Neighborhood Stabilization Program 3 (NSP 3) funds for Acquisition, Rehabilitation and Resale of Foreclosed Homes (Agreement) with Habitat for Humanity Central Arizona (Habitat).

Background: In November of 2011, the City of Glendale conducted a request for proposal (RFP) process, following the city's procurement code, to identify a qualified partner to mitigate the impact of foreclosures in our community. Two qualified non-profit agencies responded to the RFP solicitation. The review team evaluated both respondents, which resulted in Habitat for Humanity Central Arizona being recommended for award. The letter of intent to award was posted on the city's website October 6, 2011 for a period of 14 days, no questions or comments were received.

This Agreement will allow Habitat to use NSP 3 funds in the amount of \$1,296,540 to purchase and renovate 12 foreclosed single-family homes in the target areas of Glendale as outlined in the attached boundary map and indicated below. The homes will be re-sold to income-qualified residents.

- North: Orangewood Ave., South: Glendale Ave., East: 53rd Ave., West: 57th Ave.
- North: Glendale Ave., South: Ocotillo Rd., East: 63rd Ave., West: 67th Ave
- North: Glendale Ave., South: Maryland Ave., East: 59th Ave., West: 63rd Ave.
- North: Glendale Ave., South: Maryland Ave., East: 51st Ave., West: Grand Ave.
- North: Glendale Ave., South: Maryland Ave., East: 43rd Ave., West: 51st Ave.

During the acquisition phase, Habitat will consult with local realtors to identify vacant, foreclosed properties in the city's target areas and obtain the required environmental assessments and clearances through the city. An outreach to schools, neighborhoods, community groups, churches, and housing shelters will be made by Habitat to identify the opportunities for home ownership to qualified residents. The U.S. Department of Housing and Urban Development (HUD) requires program home buyers to participate in counseling to enhance money management and financial planning skills. Habitat requires home buyers to invest at least 100 hours of sweat equity by working on home rehabilitation projects.

Habitat's business model generates substantial cost reductions through the use of volunteer labor to rehabilitate homes and frequent receipt of donated or discounted materials. It is anticipated that Habitat volunteers will donate approximately 864 hours of time on each home rehabilitated.

Previous Council/Staff Actions: On March 22, 2011, Council formally adopted an amendment to the Community Revitalization Annual Action Plan accepting NSP 3 funds from HUD and allocated \$1,296,540 to the acquisition and rehabilitation of foreclosed single family houses, targeting neighborhoods surrounding the Centerline Area.

On December 16, 2010, during a public meeting, the Community Development Advisory Committee (CDAC) reviewed and approved the eligibility of the NSP 3 funding.

Community Benefit: The acquisition, revitalization and resale of foreclosed single family houses will help stabilize neighborhoods and improve the quality of life for the existing neighbors. These units will be completely rehabilitated and incorporated with energy-efficient and green building features, which maintains affordability.

Public Input: HUD requires cities to solicit comments through a public participation plan. On December 16, 2010, during a public meeting, CDAC reviewed and approved the eligibility of the NSP 3 funding. The Public Notice was published in The Glendale Star on December 23, 2010 and December 30, 2010, informing the public about the amendment to the Community Revitalization Annual Action Plan, the five locations in which to view the amendment and the 15-day public comment period. The public comment period began on January 7, 2011 and ended January 24, 2011. In addition, on January 19, 2011, CDAC conducted a public hearing on the Annual Action Plan to accept the NSP 3 funds, and the proposed eligible use of said funds. No comments were received.

Budget Impacts & Costs: NSP 3 funds in the amount of \$1,296,540 will be used for the project. An in-kind match provided through Habitat volunteers include approximately 10,368 hours of volunteer labor valued at approximately \$128,988.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$1,296,540

Account Name, Fund, Account and Line Item Number:

Neighborhood Stabilization Program 3, Account No. 1311-30910-518200, \$1,296,540

Recommendation: Authorize the City Manager to enter into an Agreement for Neighborhood Stabilization Program 3 funds for Acquisition, Rehabilitation and Resale of Foreclosed Homes with Habitat for Humanity Central Arizona.

RESOLUTIONS

7. [INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR POLICE DEPARTMENT RECORD COMPUTER SYSTEM](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement (IGA) with the City of Phoenix Police Department for use of its Police Automated Computer Entry (PACE) system.

Background: This IGA specifies the use of the PACE system. The purpose of the IGA is to outline conditions under which the Phoenix and Glendale Police Departments allow the sharing of law enforcement information. Glendale Police Department is currently an active user of the

PACE system, and routinely enters law enforcement information into PACE and utilizes PACE for investigative purposes.

The Glendale Police Department has been using the PACE system for at least two decades. The fee to access to this system is \$17,600 annually. If approved, this IGA will remain in force for ten years.

Community Benefit: Entering into this IGA will continue to enhance and foster the exchange of criminal justice information, to assist in criminal investigations, and improve officer and public safety.

Budget Impacts & Costs: Funds are available in the FY 2011-12 operating budget of the Police Department.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$17,600

Account Name, Fund, Account and Line Item Number:

Communications, Account No. 1000-12230-523400, \$17,600

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with the City of Phoenix Police Department for use of its Police Automated Computer Entry system.

8. [INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR RECIPROCAL SOLID WASTE DISPOSAL SERVICES](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement (IGA) with the City of Phoenix for reciprocal solid waste disposal services. The agreement provides for a mutual exchange of solid waste tonnage and disposal services at respective Glendale and Phoenix solid waste facilities.

Background: The cities of Glendale and Phoenix have exchanged solid waste tonnage and disposal services through IGA's since 1995. This IGA allows solid waste vehicles from each city to utilize the landfill and transfer facilities owned by the other city depending on collection route locations. The advantages include efficiencies in vehicle routing and fuel economy, avoidance of excessive travel times and distances, solid waste services provided to residents more quickly and cost effectively, and pollution reduction. Tonnage is tracked by both cities on a monthly basis and the city with more disposal tonnage at the end of the fiscal year pays the posted gate rate for that disposal facility. Glendale and Phoenix exchange an equivalent tonnage amount of approximately 12,000 tons annually.

Upon Council approval, the IGA will become effective immediately and will continue thereafter until June 30, 2015. The IGA contains an option that will permit the City Manager, at his discretion, to extend the term for one additional three-year period, on the terms and conditions

acceptable to both Glendale and Phoenix. The IGA has already been approved by the Phoenix City Council.

Previous Council/Staff Actions: On March 19, 2009, the City Manager executed the first amendment to the IGA with Phoenix extending the term of agreement for one additional three-year period.

On February 28, 2006, Council adopted the IGA with Phoenix for waste tonnage exchange and reciprocal solid waste disposal services, and authorized the City Manager to extend the term for one additional three-year period.

On July 25, 1995, Council adopted the first IGA with Phoenix for waste tonnage exchange and reciprocal solid waste disposal services. The IGA was renewed by Council on December 12, 2000, and later extended by the City Manager on January 2, 2004.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with the City of Phoenix for reciprocal solid waste disposal services; and further authorizing the City Manager, at his discretion, to extend the term in accordance with the provisions of the intergovernmental agreement.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

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- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).